

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
U.S. Patent No. 5,750,338

Mark L. Collins *et al.*

Reissue Serial No. 09/533,906

Reissue Application Filed: March 8, 2000

Group Art Unit: 1655

Examiner: D. Johannsen

For: TARGET AND BACKGROUND
CAPTURE METHODS WITH
AMPLIFICATION FOR AFFINITY
ASSAYS



PROOF OF SERVICE

ATTENTION: REISSUE LITIGATION BOX 7

Commissioner for Patents
Washington, D.C. 20231

I, Kevin R. Spivak, do hereby declare as follows:

1. I am over the age of eighteen years, and not a party to this proceeding.
2. My business address is 2001 Pennsylvania Avenue, NW, Washington D.C.

20006-1888.

3. On February 15, 2002, I served the following documents in the manner described in Paragraph 4:

PROTEST UNDER 37 C.F.R. §1.291 – 20 pgs.

INFORMATION DISCLOSURE STATEMENT – 6 pgs.;

FORM PTO/SB/08 – 2 pg.;

ELEVEN (11) REFERENCES; and

COPY OF RETURN/PREPAID POSTCARD TO PTO.

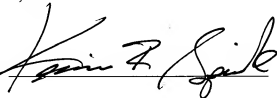
4. On February 15, 2002, I served the documents listed in Paragraph 3 by placing a copy of each of the documents in an envelope, sealing the envelope, and, with postage fully prepaid, placing the envelope for deposit with the United States Postal Service on the same day, at my business address shown above, following ordinary business practices, addressed to:

Jean Burke Fordis, Reg. No. 32,984
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P
Suite 700
1300 I Street, N.W.
Washington, D.C. 20005-3315

I hereby declare under the laws of the United States of America that all statements made herein are true of my own knowledge and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Executed at Washington, D.C. on February 15, 2002.

By:

A handwritten signature in black ink, appearing to read "Kevin R. Spivak", written over a horizontal line.

Printed Name: Kevin R. Spivak